



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Solid Waste Management

**BWP SW 43 Determination of Landfill Closure Completion
Instructions and Supporting Materials**

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Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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BWP SW 43

Application Completeness Checklist

1. What is the purpose of this permit?

This permit is intended to protect the public health, safety and the environment by ensuring that the closure construction of a solid waste landfill facility has been completed in accordance with the approved permit and subsequent post-closure use of the site will not result in adverse affects on public health or safety, pollution of land, air and water or nuisance conditions. The date of the approval by the Department of the closure completion establishes the start date for the post-closure period. For information purposes, the construction of closure at a landfill is often referred to as capping or constructing a cap.

Legislative authority for this permit is stated in MGL c. 21A, ss. 2 and 8, c. 111, s. 150A and the Acts of 1987, c. 584. Regulations promulgated pursuant to these laws are codified in 310 CMR 19.000, Solid Waste Management Facility Regulations. Section 19.140 of those regulations applies to this permit approval.

2. Who must apply?

- Any individual, business, or organization that has completed construction of closure of a solid waste landfill must apply for this determination in accordance with 310 CMR 19.140
- A **landfill** is a facility or part of a facility established in accordance with a valid site assignment for disposal of solid waste into or on land.

3. What other requirements should be considered when applying for this permit?

You must obtain permits for Final Closure/Post-Closure Plans prior to construction of the landfill closure, then complete closure construction before applying for this determination. These are issued by MassDEP's Solid Waste Management. Other requirements may be found in 310 CMR 19.140 and in the Application Completeness Checklist. You must submit documentation that any and all required local, state and federal permits have been issued.

Concurrent permits may include, but are not limited to:

- Wetlands Order of Conditions (310 CMR 10.00), issued by the conservation commission in the city or town where the facility is located.
- Sewer Connection (314 CMR 7.00), issued by Water Pollution Control or Industrial Wastewater.
- National Pollution Discharge Elimination System (NPDES) (314 CMR 5.00), issued by Water Pollution Control or Industrial Wastewater.

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

4. What is the application fee?

BWP SW 43.....\$2,435

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:
Department of Environmental Protection
* Regional Office

Reserve Copy Location:
Not Required.

Solid Waste Management

* Find your region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>



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6. Where can I get a copy of the timelines?

The timelines are available on the MassDEP Website:

<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

There is no public comment review period for this determination.

7. What is the annual compliance fee?

Current annual compliance fees can be found on the MassDEP Website at

<http://www.mass.gov/eea/agencies/massdep/service/approvals/timely-action-fees-and-payments.html>

8. How long is this determination in effect?

This determination will be valid until, or if, such time the department approves a modification of or a superseding permit for the site.

9. How can I avoid the most common mistakes made in applying for these authorizations?

- a. Make sure that all conditions of the Final Closure and Post-Closure Use Permit have been complied with and documented
- b. Provide documentation that all other permits, local, state and federal, have been issued and/or complied with as applicable.
- c. Submit construction certification and as-built plans, both signed and stamped by a registered professional engineer.
- d. Provide documentation that appropriate financial assurance has been secured in accordance with 310 CMR 19.051.
- e. Submit fee and one copy of the MassDEP Transmittal Form
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>
to: Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to this determination? Where can I get copies?

These regulations include, but are not limited to:

- a. Solid Waste Management Regulations, 310 CMR 19.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376

Also, unofficial copies of these regulations can be found on the MassDEP web site at

www.mass.gov/dep



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- ☐ The MassDEP Transmittal Form is completed:
<http://www.mass.gov/eea/agencies/massdep/service/approvals/transmittal-form-for-payment.html>
- ☐ Information requested on application has been supplied.
- ☐ One copy of the as-built plans and reports is attached.
- ☐ Certification statement submitted and signed (310 CMR 19.011).
- ☐ Variances requested are identified.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send one copy of the application along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
_____ * Regional Office
Solid Waste Management

* Find your region: <http://www.mass.gov/eea/agencies/massdep/about/contacts/>

- ☐ Send fee of:

\$2,435 for BWP SW 43;

in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211